

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

TIJUANA LAVERN CANDERS,

Plaintiff,

v.

**Civil Action 2:17-cv-867
Judge Algenon L. Marbley
Magistrate Judge Elizabeth P. Deavers**

**FRANKLIN COUNTY DEPARTMENT
OF JOB AND FAMILY SERVICES, *et al.*,**

Defendants.

REPORT & RECOMMENDATION

This Court's January 9, 2018, Order and Report and Recommendation, which the Clerk mailed to *pro se* Plaintiff Canders was returned undeliverable. (ECF No. 4.) On January 29, 2018, the Court issued a Show Cause Order explaining to Plaintiff that she has an affirmative duty to notify the Court of any change in address and directing her to do so within twenty-one days. (ECF No. 5.) In the Order, the Court also cautioned Plaintiff that failure to comply will result in dismissal of this case for failure to prosecute. *See Kosher v. Butler Cnty. Jail*, No. 1:12-cv-51, 2012 WL 4808546, *2 (S.D. Ohio Sept. 9, 2012) (citing *Buck v. U.S. Dep't of Agriculture, Farmers Home Admin.*, 960 F.2d 603, 608-09 (6th Cir. 1992) ("Without such basic information as a Plaintiff's current address, courts have no recourse but to dismiss a complaint for failure to prosecute.")) To date, Plaintiff has not responded to the Court's Show Cause Order.

It is therefore **RECOMMENDED** that the Court **DISMISS** Plaintiff's claims against Defendants **WITHOUT PREJUDICE**.

PROCEDURE ON OBJECTIONS

If any party seeks review by the District Judge of this Report and Recommendation, that party may, within fourteen (14) days, file and serve on all parties objections to the Report and Recommendation, specifically designating this Report and Recommendation, and the part in question, as well as the basis for objection. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Response to objections must be filed within fourteen (14) days after being served with a copy. Fed. R. Civ. P. 72(b).

The parties are specifically advised that the failure to object to the Report and Recommendation will result in a waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court. *See, e.g., Pfahler v. Nat'l Latex Prod. Co.*, 517 F.3d 816, 829 (6th Cir. 2007) (holding that “failure to object to the magistrate judge’s recommendations constituted a waiver of [the defendant’s] ability to appeal the district court’s ruling”); *United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005) (holding that defendant waived appeal of district court’s denial of pretrial motion by failing to timely object to magistrate judge’s report and recommendation). Even when timely objections are filed, appellate review of issues not raised in those objections is waived. *Robert v. Tesson*, 507 F.3d 981, 994 (6th Cir. 2007) (“[A] general objection to a magistrate judge’s report, which fails to specify the issues of contention, does not suffice to preserve an issue for appeal . . .”) (citation omitted)).

Date: February 26, 2018

/s/ Elizabeth A. Preston Deavers
ELIZABETH A. PRESTON DEAVERS
UNITED STATES MAGISTRATE JUDGE

